

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF VIRGINIA  
ALEXANDRIA DIVISION**

<b>In re:</b>	)	<b>Case No. 14-13308-RGM</b>
	)	<b>Chapter 7</b>
<b>Susan Elise Meyerson f/k/a Susan E. Ramsey f/k/a Susan E. Krieger,</b>	)	
	)	
<b>Debtor.</b>	)	<b>Hon. Robert G. Mayer</b>
	)	

**NOTICE OF MOTION**

**To:** See Attached Service List Below

**NOTICE:** Under Local Bankruptcy Rule 9013-1, unless a written response to this motion and supporting memorandum are filed with the Clerk of Court and served on the moving party within fourteen (14) days of the service of this notice objecting to the relief requested, the Court may deem any opposition waived, treat the motion as conceded, and issue an order granting the requested relief without further notice or hearing.

**Susan Elise Meyerson f/k/a Susan E. Ramsey f/k/a Susan E. Krieger** has filed papers with the Court to reopen her bankruptcy case.

**Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)**

If you do not want the court to grant the relief sought in the motion, or if you want the court to consider your views on the motion, then you or your attorney must:

- A. File with the court, at the address shown below, a written request for a hearing [or a written response pursuant to Local Bankruptcy Rule 9013-1(H)]. If you mail your request for hearing (or response) to the court for filing, you must mail it early enough so the court will receive it on or before the date stated above.

Clerk of Court  
United States Bankruptcy Court  
200 South Washington Street  
Alexandria, Virginia 22314-5405

You must also mail a copy to:

John C. Morgan  
98 Alexandria Pike, Suite 10  
Warrenton, Virginia 20186

Upright Law, LLC  
Attn: Jocelyn S. Hsiao  
79 West Monroe Street  
5th Floor  
Chicago, Illinois 60603

- B. Attend a hearing to be scheduled at a later date. You will receive separate notice of hearing. **If no timely response has been filed opposing the relief requested, the court may grant the relief without holding a hearing.**

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief.

Date: June 11, 2015

/s/ John C. Morgan  
John C. Morgan  
Attorney for Debtor  
Virginia State Bar No. 30148  
Upright Law, LLC  
98 Alexandria Pike, Suite 10  
Warrenton, Virginia 20186  
Phone: (540) 349-3232  
Fax: (540) 349-1278  
jcm@jcmpllc.com

### **CERTIFICATE OF SERVICE**

On June 11, 2015, the undersigned certifies that on this date, he caused a copy of the above Notice of Motion and the Motion to Reopen Chapter 7 Bankruptcy Case and Memorandum to be served upon each person shown on the within service list, by United States Mail, with postage prepaid.

By: /s/ John C. Morgan

Label Matrix for local noticing

0422-1

Case 14-13308-RGM

Eastern District of Virginia

Alexandria

Thu Jun 11 11:35:20 EDT 2015

Alliance One

4850 Street Rd. Suite 300

Feasterville Trevose, PA 19053-6643

United States Bankruptcy Court

200 South Washington Street

Alexandria, VA 22314-5405

Ambulatory Anesthesia Services

P.O. Box 639

Laurel, MD 20725-0639

Affiliated Creditors, Inc.

P.O. Box 148240

Nashville, TN 37214-8240

Bill Me Later

P.O. Box 105658

Atlanta, GA 30348-5658

(p)CAPITAL ONE

PO BOX 30285

SALT LAKE CITY UT 84130-0285

Capital Management Services LP

P.O. Box 964

Buffalo, NY 14220-0964

Comenity Bank/Dressbrn

Po Box 182789

Columbus, OH 43218-2789

Comenity Bank/Lnbryant

Po Box 182789

Columbus, OH 43218-2789

Creditor Claims of America Inc

P.O. Box 7579

Silver Spring, MD 20907-7579

Discover Fin Svcs Llc

Po Box 15316

Wilmington, DE 19850-5316

ENT Specialists of Northern VA

8314 C Traford Lane

Springfield, VA 22152-1661

Enhanced Recovery Company LLC

P.O. Box 1259, Dept 98696

Oaks, PA 19456-1259

Fairfax Surgical Center

10730 Main Street

Fairfax, VA 22030-3781

First Flight Fed Cr Un

1232 E Main St

Havelock, NC 28532-2405

Labcorp

P.O. Box 2240

Burlington, NC 27216-2240

Medstar Georgetown Orthopedic

P.O. Box 417269

Boston, MA 02241-7269

Nationwide Credit Corporation

P.O. Box 9156

Alexandria, VA 22304-0156

Optimal Radiology Partners VA

75 Remittance Drive, Ste. 6507

Chicago, IL 60675-6507

Patient First

P.O. Box 758941

Baltimore, MD 21275-8941

Pohick Creek Emerg Phys, LLC

P.O. Box 37742

Philadelphia, PA 19101-5042

Receivable Management

7206 Hull Street Rd Ste

North Chesterfield, VA 23235-5826

Santander Consumer Usa

Po Box 961245

Ft Worth, TX 76161-0244

Sentara

P.O. Box 2156

Morrisville, NC 27560-2156

Sentara

P.O. Box 791168

Baltimore, MD 21279-1168

Sentara

P.O. Box 79698

Baltimore, MD 21279-0698

Significa Benefit Services Inc

P.O. Box 7777

Lancaster, PA 17604-7777

Suburban Credit Corporation

6142 Franconia Road

P.O. Box 30640

Alexandria, VA 22310-8640

Usaa Savings Bank

Po Box 47504

San Antonio, TX 78265-7504

Klinette H. Kindred  
Tyler, Bartl, Ramsdell and Counts  
300 N. Washington Street, Suite 202  
Alexandria, VA 22314-2530

Susan Elise Meyerson  
8178 Curving Creek Court  
Springfield, VA 22153-3710

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

Cap One  
Po Box 85520  
Richmond, VA 23285-0000

End of Label Matrix  
Mailable recipients 34  
Bypassed recipients 0  
Total 34

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF VIRGINIA  
ALEXANDRIA DIVISION**

<b>In re:</b>	)	<b>Case No. 14-13308-RGM</b>
	)	<b>Chapter 7</b>
<b>Susan Elise Meyerson f/k/a Susan E. Ramsey f/k/a Susan E. Krieger,</b>	)	
	)	
<b>Debtor.</b>	)	<b>Hon. Robert G. Mayer</b>
_____	)	

**MOTION TO REOPEN CHAPTER 7 BANKRUPTCY CASE AND MEMORANDUM**

NOW COMES, Susan Elise Meyerson f/k/a Susan E. Ramsey f/k/a Susan E. Krieger, Debtor herein, by her counsel, John C. Morgan, and hereby moves this Honorable Court to reopen Debtor's chapter 7 bankruptcy case. In support of this motion, Debtor states the following:

**JURISDICTION**

1. This is a core proceeding pursuant to 28 U.S.C. §157 (b)(2)(A) and (O).
2. Venue is proper in this District under 28 U.S.C. § 1409(a).
3. Pursuant to local rule or other order of the District Court, all bankruptcy cases and all proceedings that arise under Title 11 have been referred, as permitted by 28 U.S.C. § 157, to the United States Bankruptcy Court for the Eastern District of Virginia.

**THE DEBTOR**

4. Debtor, Susan Elise Meyerson f/k/a Susan E. Ramsey f/k/a Susan E. Krieger ("Debtor") filed the subject bankruptcy case pursuant to Chapter 7 of the Bankruptcy Code on September 5, 2014.
5. The Court entered an Order on December 18, 2014, discharging Debtor's Chapter 7 bankruptcy case.
6. The bankruptcy case was closed by the Court on December 22, 2014.

### **GROUND TO REOPEN THE BANKRUPTCY CASE**

7. Since the date of discharge, Potomac Hospital Corporation of Prince William d/b/a Sentara Northern Virginia Medical Center violated the discharge injunction by attempting to collect on a discharged account.

8. A bankruptcy discharge “operates as an injunction against the commencement or continuation of process, or an act, to collect, recover or offset any . . . debt as a personal liability of the debtor . . . [.]” 11 U.S.C. § 524(a)(2).

9. By continuing with its Virginia State Court lawsuit, Potomac Hospital Corporation of Prince William d/b/a Sentara Northern Virginia Medical Center caused Debtor to suffer actual damages.

10. Pursuant to Section 350(b) of the Bankruptcy Code, 11 U.S.C. § 350(b), a case may be reopened “to accord relief to the debtor.”

11. Although there is no personal right of action for violation of the discharge injunction, violations may be redressed under the bankruptcy court’s civil contempt powers. *Cherry v. Arendall (In re Cherry)*, 247 B.R. 176, 186-87 (Bankr. E.D. Va. 2000).

12. “Because of the central role played by the discharge, reopening a closed case to redress a claimed violation of the discharge injunction is almost routinely granted.” *In re Henneghan*, 03-11853-SSM, at Docket 168 (Bankr. E.D. Va. Aug. 24, 2005).

13. Relief can be accorded to Debtor and cause exists to reopen the bankruptcy case.

14. Pursuant to Rule 5010 of the Federal Rules of Bankruptcy Procedure, when the case is reopened pursuant to Section 350(b) of the Bankruptcy Code, a trustee shall not be appointed unless the court determines that a trustee is necessary to protect the interests of creditors and Debtor

or to insure efficient administration of the case. Debtor does not believe that a trustee is necessary to protect his interests.

15. No fee for reopening a case is due to file an action related to Debtor's discharge.

**PRAYER FOR RELIEF**

16. Accordingly, Debtor requests that her case be reopened so as to allow her attorney to file her Motion for Contempt and Sanctions Against Potomac Hospital Corporation of Prince William d/b/a Sentara Northern Virginia Medical Center for Violation of the Discharge Injunction Pursuant to 11 U.S.C. §§ 105 and 524. Debtor further requests that no trustee be appointed as none is necessary for the Debtor to assert the claims to be raised.

WHEREFORE, Debtor prays that this Court enter an Order reopening her Chapter 7 Petition and for such other and further relief as may be just.

Respectfully submitted,

Susan Elise Meyerson f/k/a Susan E.  
Ramsey f/k/a Susan E. Krieger

By: /s/ John C. Morgan  
One of her attorneys

John C. Morgan  
Virginia State Bar No. 30148  
Attorney for Debtor  
Upright Law, LLC  
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